

REMARKS

In the Office Action, dated August 4, 2006, the Examiner states that Claims 46-86 are pending, Claims 46-64, 74-79, and 82-84 are rejected, and Claims 65-73, 80, 81, and 86 are indicated as having allowable subject matter. Additionally, the drawings have been objected to. By the present Amendment, Applicant amends the claims and the drawings.

The drawings were objected to because the lines and characters were not clear and consistent, and the blocks were not labeled as to their function. The Applicant submits replacement drawings of better quality to overcome the objection. No new matter has been added.

In the Office Action, Claims 46-64, 74-79, and 82-84 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wakeman et al (U.S. 6,353,767). Applicant has cancelled Claims 46-62, 78-80, and 83-85, and has added new Claims 87-105. The features of Claims 78-80 have been incorporated into independent Claim 77, and the features of Claims 83-85 have been incorporated into independent Claim 82. The Applicant thus considers the amendments to Claim 77 and Claim 82 overcome the rejections to those claims, and the claims dependent thereon.

The Applicant has amended Claim 64 and Claim 75 to more specifically claim that the range of confidence values of the record identification by the identity means includes a match to the confidence value received by the input means. Therefore, because Wakeman does not disclose this feature, the Applicant considers the amendments to Claims 64 and 75 overcome the respective rejections. Additionally, because Claim 76 is dependant on Claim 75, that rejection should be overcome.

With respect to the remaining rejected Claims, 63 and 74, that are rejected under 35 U.S.C. § 102(b) as being anticipated by Wakeman, the Applicant respectfully disagrees with and transverse the rejections. The invention disclosed in Wakeman is distinguishable from that claimed in the present invention. Unlike what is claimed in the present invention, Wakeman does not disclose the concept of determining a level of acceptability of an event occurring by establishing a range of values, which represent levels of confidence, by using a unique approach of defining, combining and scoring factors. In fact, Wakeman is completely silent about determining a level of acceptability of an event occurring. Wakeman discloses

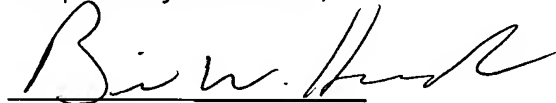
developing a confidence level using various factors which related to environment, validation, analysis, and then combining the confidence scores of each factor to generate a confidence level for the respective category, which is then arithmetically averaged to generate an overall confidence score that provides a qualitative assessment of the confidence of the Z factor for the particular design. Unlike Wakeman, the present invention does not claim any "averaging" of confidence scores to generate an overall confidence score that is then used to provide a qualitative assessment of the confidence. In the contrary, the present invention processes factors to identify various combinations of the factors, to then establish a weighting index, and to provide an output that shows the spread range of the weighting indexes and shows the particular weighting index of a particular risk assessment. Furthermore, Wakeman does not disclose an output means which outputs a particular weighting indicator for a risk assessment, and the overall spread range of the set of weighting indexes. Therefore, because the inventions are distinguishable, Wakeman does not anticipate the present invention defined in Claims 63 and 74.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

February 1, 2007

Date

Respectfully submitted,



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